

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RICHARD B. FISCHER,

Plaintiff,

vs.

J. SAM STEWARD, et al.,

Defendants.

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Case No. 4:07CV01798 ERW

MEMORANDUM AND ORDER

This matter comes before the Court on Motion of Defendant St. Charles City Police Department to Dismiss [doc. #7], Motion of Defendants City of St. Charles, Swope, Gooch, and Boerding to Strike Plaintiff's Third Cause of Action [doc. #9], Motion of Defendant St. Charles County Prosecuting Attorney's Office to Dismiss [doc. #12], and Defendant Missouri State Highway Patrol's Motion to Dismiss [doc. #29].

Richard Fischer ("Plaintiff") responded to the above motions by stating that Plaintiff does not object to the dismissal, but requesting that the Court dismiss these parties and the third cause of action without prejudice. On March 14, the Court issued an order, directing the parties who filed the pending motions to show cause, no later than March 21, 2008, why the dismissal should not be without prejudice. No responses have been filed, and accordingly, the Court will grant the pending motions, and dismiss these parties and cause of action without prejudice.

Accordingly,

IT IS HEREBY ORDERED that Motion of Defendant St. Charles City Police Department to Dismiss [doc. #7] is **GRANTED**. Defendant St. Charles City Police Department is **DISMISSED, without prejudice**.

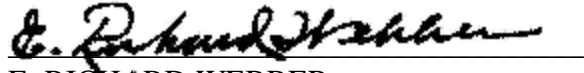
IT IS FURTHER ORDERED that Motion of Defendants City of St. Charles, Swope, Gooch, and Boerding to Strike Plaintiff's Third Cause of Action [doc. #9] is **GRANTED**.

Plaintiff's Third Cause of Action is **DISMISSED, without prejudice**.

IT IS FURTHER ORDERED that Motion of Defendant St. Charles County Prosecuting Attorney's Office to Dismiss [doc. #12] is **GRANTED**. Defendant St. Charles County Prosecuting Attorney's Office is **DISMISSED, without prejudice**.

IT IS FURTHER ORDERED that Defendant Missouri State Highway Patrol's Motion to Dismiss [doc. #29] is **GRANTED**. Defendant Missouri State Highway Patrol is **DISMISSED, without prejudice**.

Dated this 28th Day of March, 2008.


E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE